

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY MURPHY,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 2027
)	
FAIRMONT CARE CENTER,)	
)	
Defendant.)	

MEMORANDUM ORDER

Pro se plaintiff Dorothy Murphy ("Murphy") has just filed three new documents in this action:

1. a handwritten Amended Complaint;
2. another In Forma Pauperis Application ("Application"); and
3. another Motion for Appointment of Counsel ("Motion").

As for the Motion, this Court has explained on a number of occasions (see its August 4, 2008 memorandum order) why it has refused to appoint new counsel to replace the originally appointed pro bono counsel, whom Murphy had proceeded to charge with entering into a conspiracy with defendant and defense counsel to subvert her rights. But this Court is constrained by Murphy's present filing to focus on another totally unacceptable aspect of her conduct.

Under Fed. R. Civ. P. ("Rule") 15(a), Murphy has an absolute right to file an Amended Complaint without this Court's

permission, for no answer to the original Complaint has yet been filed. But what Murphy has done here is to replace original defendant Fairmont Care Center with another target--Fairmont's lawyer, Kenneth Henry ("Henry")--as her newly-named defendant.¹ as the named defendant. That effort is a serious abuse, regrettably all of a piece with Murphy's continued abusive conduct toward this Court's secretary and minute clerk for simply doing their jobs.

No justice system is required to tolerate such conduct. This Court initially gave Murphy the benefit of any doubt by appointing counsel to represent her pro bono publico, only to find counsel subjected to unfounded accusations. This latest abuse by a frequent filer such as Murphy has crossed the line of impermissibility. This action is dismissed with prejudice.



Milton I. Shadur
Senior United States District Judge

Date: August 13, 2008

¹ It is worth noting that this current effort by Murphy points up a major risk of providing her with a new lawyer to represent her: this penchant for treating anyone whom she perceives as having crossed her as another person to be subjected to scurrilous charges.